

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

EDDY ALEXANDRE and EMINIFX,  
INC.,

Defendants.

Case 22 Civ. 3822 (VEC)

**ORDER REQUIRING TURNOVER OF DEPOSIT TO RECEIVER**

On June 16, 2022, this Court entered the Consent Preliminary Injunction in this case (Dkt.56) and, by Memo Endorsed Order (Dkt.55), overruled the objection of non-parties Christopher Beil and Maureen Beil (the “Sellers”). Pursuant to a certain contract of sale dated as of April 11, 2022 (the “Contract”) for the sale by Sellers to Purchaser (as defined therein) of 525 Manhasset Woods Road, Manhasset, New York 11030 (the “Property”), \$535,000 was deposited (the “Deposit”) into the escrow account of Sellers’ counsel, Kirschenbaum & Kirschenbaum, P.C. (“Escrowee”).

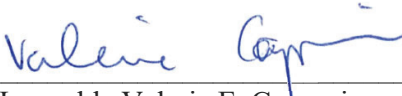
David Castleman, the court-appointed receiver (the “Receiver”) over Defendant EminiFX, Inc. (“EminiFX”) and assets of Defendant Eddy Alexandre (“Alexandre”) traceable to customer funds, has stated a good faith belief that the Deposit is traceable to EminiFX customer funds, and provided the Court with justification for his belief, pursuant to paragraph 38 of the Consent Preliminary Injunction.

The Escrowee shall turn over the Deposit to the Receiver within 3 business days from entry of this Order. Sellers’ may make a claim in the normal claim process to be established by the Receiver with the approval of the Court at a later date, subject to the Receiver’s right

to review and object to such claim as part of the approved claims process. The Receiver shall hold the Deposit in the Alexandre Assets account pursuant to paragraph 38 of the Consent Preliminary Injunction.

**IT IS SO ORDERED.**

Dated: June 17, 2022

  
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Honorable Valerie E. Caproni  
United States District Judge